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May 14, 2002

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Art Unit: 2817

Commissioner for Patents Washington, D.C. 20231

Re:

U.S. Utility Patent Application

Appl. No. 09/438,689; Filed: November 12, 1999

For: Differential Crystal Oscillator

Inventors:

Ward et al.

Our Ref:

1875.095000C/RES/JTH

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Technology Center 2600

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fifth Supplemental Information Disclosure Statement;
- 2. A list of the cited document on Form PTO-1449 (1 page);
- 3. A copy of the one (1) document cited on Form PTO-1449;
- 4. Request to Correct Attorney Docket Number; and
- 5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLIC: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com

Commissioner for Patents May 14, 2002 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey T. Helvey

Attorney for Applicants Registration No. 44,757

JTH/slw Enclosures

SKGF_DC1:13579.1



In re application of:

Ward et al.

Appl. No. 09/438,689

Filed: November 12, 1999

For:

Differential Crystal Oscillator

Confirmation No. 9756

Art Unit: 2817

Examiner: Faile, A.

Atty. Docket: 1875.095000C

Fifth Supplemental Information Disclosure Statement

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Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- □ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - □ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - □ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

	□ c.	Attached is our Check No in the amount of \$ in payment
		of the fee under 37 C.F.R. § 1.17(p).
□ 3.	This I	nformation Disclosure Statement is being filed more than three months after
		the U.S. filing date and after the mailing date of a Final Rejection or Notice
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		counterpart foreign application. Submission of an English language version
		of the search report that indicates the degree of relevance found by the
		foreign office is provided in satisfaction of the requirement for a concise
		explanation of relevance. 1138 OG 37, 38.
□ 5.	A con	cise explanation of the relevance of the non-English language document(s)
		appears below:
□ 6.	Copie	s of the documents were cited by or submitted to the Office in an IDS that
		complies with 37 C.F.R. § 1.98(a)-(c) in Application No, filed
		, which is relied upon for an earlier filing date under 35 U.S.C.
		§ 120. Thus, copies of these documents are not attached. 37 C.F.R.
		§ 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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